

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

FRANCESCO CORALLO,

Plaintiff,

v.

NSO GROUP TECHNOLOGIES
LIMITED, et al.,

Defendants.

Case No. [22-cv-05229-RS](#)**ORDER FOR ADDITIONAL BRIEFING**

By prior order, proceedings on the NSO defendants' pending motion to dismiss were paused pending resolution of a motion to dismiss on forum *non conveniens* grounds in *WhatsApp Inc. v. NSO Grp. Techs. Ltd.*, No. 4:19-cv-07123-PJH. A briefing schedule was set to permit plaintiff to respond to any decision in *WhatsApp* granting that motion. When the *WhatsApp* court denied the motion, the NSO defendants filed a notice of that fact and, citing Civil Local Rule Local Rule 7-3(d)(2), included a recent out-of-district decision they contend bears on the personal jurisdiction and forum *non conveniens* issues presented here. Defendants stated they would welcome the opportunity to elaborate through additional briefing.

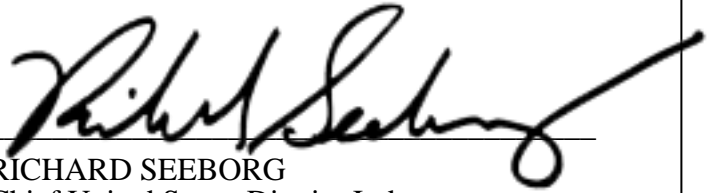
Plaintiff responded by objecting that defendants' notice was an improper attempt to submit additional argument and authority. Defendants' notice of the result in *WhatsApp* was not improper, and its submission of recent authority was permissible under Rule 7-3(d)(2). While the paragraph defendants included describing that decision technically contravenes the Rule's prohibition against additional "argument," it was not a serious violation. Nevertheless, plaintiff's

request for an opportunity to respond on the merits will be granted, particularly in light of defendants' stated interest in providing additional elaboration.

Accordingly, no later than January 4, 2024, the parties may submit supplemental briefs, not exceeding 8 pages each, setting out any additional arguments they may wish to present regarding the motion to dismiss. The matter will then be resubmitted for decision without further briefing or argument, unless otherwise ordered.

IT IS SO ORDERED.

Dated: December 11, 2023



RICHARD SEEBORG
Chief United States District Judge

United States District Court
Northern District of California